

FORM SUMMARY

Name of Form:	Dispositional Order--Protection or Services (Chapter 48)
Form Number:	JC-1611
Statutory Reference:	§§48.345, 48.355, 48.356, Wisconsin Statutes
Benchbook Reference:	JV 8
Purpose of Form:	Formal order of the court detailing the disposition in a ch. 48 child in need of protection or services (CHIPS) case (this does not apply to a chapter 938 <i>juvenile</i> in need of protection or services).
Who Completes It:	Corporation counsel or district attorney.
Distribution of Form:	Original to court, copies to juvenile, parent/guardian/legal custodian/trustee, juvenile's attorney, district attorney/corporation counsel, social worker, and other interested parties.
Accompanying Forms:	If out-of-home placement is ordered, form JD-1753, Notice Concerning Grounds to Terminate Parental Rights, must be attached.
New Form/Modification:	Modification; last update 09/02.
Modifications:	In #2 of court order section, added option to indicate expiration date of order. In #8 of order section, added options for transferring legal custody to either "County Department of Human/Social Services" or "Wisconsin Department of Health and Family Services".
Comments:	<p>Pursuant to ASFA Final Rules, judicial determinations must be explicitly documented and made on a case by case basis. The order must contain the child-specific reasons for the court's decision. Reference simply to state statute to substantiate judicial determinations are not sufficient. Affidavits and <i>nunc pro tunc</i> orders are not acceptable to support determinations related to out of home placements.</p> <p>RMC recommends that the court not rely upon attachments alone as the basis for its findings. Where attachments are used, specific reference to the document title, page and paragraph should be made.</p> <p>RMC has concerns that out of home placements ordered to be effective in the future may violate ASFA rules. One suggested procedure in these cases is to first enter a dispositional order placing the child at home, then revise the dispositional order pursuant to §48.363 upon the actual removal from the home. Another option is to adjourn the dispositional hearing until the actual removal date.</p>
About this form:	<p>This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.</p> <p>If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.</p>